Discretionary Use – 1636 5th Avenue North

<table>
<thead>
<tr>
<th>Date</th>
<th>November 9, 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>To</td>
<td>Deborah Bryden, Development Officer</td>
</tr>
<tr>
<td>From</td>
<td>Planning &amp; Development Services</td>
</tr>
<tr>
<td>Item #</td>
<td>PL202200160</td>
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</tbody>
</table>

BACKGROUND

Section 1D.1.2(2) of The Regina Zoning Bylaw, 2019 (Zoning Bylaw) specifies that all applications for discretionary use are delegated to the Development Officer, except those which meet specified criteria. Since the proposed application does not meet the specified criteria, the application is delegated to the Development Officer.

APPLICATION

The applicant (SCEP Centre) proposes to convert an existing residential “Building, Detached” (single-unit house), located at 1636 5th Avenue North (Subject Property), into an “Institution, Day Care” that will accommodate up to eight children and eight staff. The Subject Property is zoned R1 - Residential Detached Zone, which includes “Institution, Day Care” as a potentially allowable land-use, subject to review and approval through the discretionary use procedure.

EVALUATION

The proposed development has been assessed in accordance with the evaluation requirements of Section 1E3.5 of the Zoning Bylaw, which is summarized as follows:

(a) consistency with the vision, goals, and policies of the Official Community Plan
Day care facilities are considered an important community service and amenity; therefore, the proposed development supports “complete neighbourhoods”, which is a key objective of Design Regina: The Official Community Plan Bylaw No. 2013-48 (OCP Section D5 – 7.1.4).

(b) consistency with the objectives and policies of any applicable special study or policy document for the site, area or neighbourhood with emphasis on:
   (i) land use;
   (ii) intensity of development; and
   (iii) impact on public facilities, infrastructure, or services

The proposed development is consistent with the policy of the Northeast Area Neighbourhood Plan (OCP Part B.1), which applies to the Subject Property.
The proposed development was reviewed from an infrastructure and servicing perspective and no issues were identified.

(c) **consistency with regulations of the Zoning Bylaw**

The land use and zoning related details of this proposal are summarized as follows:

<table>
<thead>
<tr>
<th>Zoning Analysis</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Parking Stalls</td>
<td>1 permanent, 1 drop off</td>
<td>3 permanent, 1 drop off</td>
</tr>
<tr>
<td>Minimum Lot Frontage (m)</td>
<td>10.5</td>
<td>25.1</td>
</tr>
<tr>
<td>Minimum Lot Area (m²)</td>
<td>325</td>
<td>1142</td>
</tr>
<tr>
<td>Maximum Site Coverage</td>
<td>50%</td>
<td>22.8%</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>11</td>
<td>8.15</td>
</tr>
<tr>
<td>Minimum Landscape Area</td>
<td>10% (114m²)</td>
<td>480m²</td>
</tr>
</tbody>
</table>

(d) potential adverse impacts or nuisances affecting:

(i) **nearby land, development, land uses, or properties;**

The proposed development is similar to a residential land-use and is not expected to have any significant off-site impacts.

(ii) **neighbourhood character;**

The proposed development will be accommodated within an existing residential single-detached dwelling, and no exterior alterations are proposed; therefore, no negative implications are expected from a neighbourhood character perspective.

(iii) **the environment;**

The proposed development is similar to a residential land-use, and will be accommodated within an existing residential single-detached dwelling; therefore, there are no environmental issues.

(iv) **traffic;**

The proposed development is not expected to generate traffic issues – this report recommends a limitation to child attendance numbers (eight), and the Subject Property has close and convenient access to Broad Street, which is an arterial roadway.

(v) **a public right-of-way; and**

No impacts were identified through the review.

(vi) **any other matter(s) affecting public health and safety**
No impacts were identified through the review. It is also noted, that, as a licensed day care, it must meet various Government of Saskatchewan regulatory requirements.

PUBLIC NOTICE

The public has been notified about the application as required by The Public Notice Policy Bylaw by way of:

(a) sign posting on the subject property
(b) written notice sent to assessed property owners within 75m; and
(c) website posting on regina.ca and posting on the City Hall Public Notice Board.

Following public notice, four responses were received, and their comments are summarized below:

<table>
<thead>
<tr>
<th>Response</th>
<th>Number of Responses</th>
<th>Issues Identified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completely opposed</td>
<td>2</td>
<td>• Plans state a care home for 8-10 residents but show numerous offices</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Not enough parking for 8 staff – could result in overloading of on-street parking</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Plans indicate Building Code violation issues</td>
</tr>
<tr>
<td>Accept if many features were</td>
<td></td>
<td></td>
</tr>
<tr>
<td>different</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accept if one or two features</td>
<td></td>
<td></td>
</tr>
<tr>
<td>were different</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I support this proposal</td>
<td>2</td>
<td>• Supports proposed development - no issues</td>
</tr>
</tbody>
</table>

SUMMARY

- There is no conflict with the OCP Part A or applicable neighbourhood plan.
- The application complies with all criteria for discretionary use approval in the Zoning Bylaw, including parking requirements.
- Building Code compliance will be reviewed under a separate administrative process.

RECOMMENDATION
That the application for an "Institution, Day Care", at 1636 5th Avenue North, be APPROVED, subject to the following standards and conditions:

1. The development shall be generally consistent with plans attached to this report as Appendix B1- B5.
2. Any office use within the proposed development must be accessory to the principal use of the proposed development (Institution, Day Care) and must be in accordance with the accessory use provisions of the Zoning Bylaw.
3. That the number of children/ students receiving service on-site, at any one time, not exceed eight.

Respectfully Submitted,

[Signature]

Manager, City Planning

[Signature]

Director, Planning & Development Services

Report prepared by: David Ferrone, City Planner I, City Planning Branch

Attachments:

Appendix A-1 – Aerial Photograph
Appendix A-2 – Aerial Photograph
Appendix B-1 – Landscape Plans
Appendix B-2 – Existing Site Layout
Appendix B-3 – Interior Plans
Appendix B-4 – Interior Plans
Appendix B-5 – Interior Plans

DECISION OF DEVELOPMENT OFFICER

As recommended in this report, this application is:

x APPROVED

DENIED

[Signature] November 9, 2022

Deborah Bryden, Executive Director,
City Planning and Community Development
(Development Officer)